REMARKS

Reconsideration of the application is respectfully requested.

Claim 1 herein is directed to an oil containing spread composition wherein 5-100 wt% of the oil comprises olive oil, which has no perceivable olive oil odor, and which composition contains at least 10 ppm of olive oil polyphenols. In claim 11, the oil containing spread composition incorporates an olive oil which is obtain by refining at from 120-150°C. Olive oil polyphenols have been mentioned as having beneficial health properties. However, many consumers expect spreads to not have an olive oil odor. The present specification points out that the invention is an olive oil containing spread which contains a considerable amount of olive oil polyphenols but which is nevertheless free from offensive olive oil odor.

The Office cites references as disclosing a margarine which is made from olive oil and butter (Decio) and a reference which teaches deodorizing oils (Cheng). In addition, the Office cites the Lal Ganguli patent as teaching that olive oils are known to contain polyphenols and that in Ganguli the polyphenols do not appear to be volatile because "they are prepared by extraction into water and the concentration by extraction of the water phase (see abstract)."

At the bottom of page 3, Lal Ganguli et al. describe one aspect of their process wherein olive oil is fortified with polyphenols by dispersing a small amount of an aqueous solution of non-bitter polyphenols into olive oil and then removing the water preferably by evaporation under reduced pressure at ambient temperatures. Lal Ganguli then indicates that the polyphenols, "are not volatile at ambient temperatures". Similarly, in Example 2, evaporation occurs at 20°C. under reduced pressure. The fact that Lal

Ganguli et al. use water to introduce polyphenols to olive oil and then evaporate the water at ambient temperatures does not suggest that previous processes using higher temperatures must necessarily have left in substantial amounts of polyphenols. Therefore the Office has not established that the deodorized oil of Cheng would have the requisite levels of polyphenols. In addition, the Office points to no reason for ignoring the information presented in the specification on page 11 that an average olive oil after being deodorized for one hour at normal temperature of 255°C. contains less than 10 ppm of polyphenols.

The Office points to no teaching in any of references of an olive oil containing spread composition having 5-100 wt% of olive oil, which has no perceivable olive oil odor, and which contains at least 10 ppm of olive oil originating polypenols.

In view of the foregoing, it is respectfully requested that the application be allowed.

Respectfully submitted,

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